

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL ALLAHRAE FOX,

Plaintiff,

v.

ERNEST ZEIGLER,

Defendant.

Case No. 1:20-cv-00290-NONE-JLT (PC)

**ORDER DIRECTING PLAINTIFF TO
RESPOND TO MOTION FOR SUMMARY
JUDGMENT**

(Doc. 38)

14-DAY DEADLINE

On September 7, 2021, Defendant Zeigler filed a motion for summary judgment. (Doc. 38.) Despite Defendant's notice of motion and *Rand* warning, Plaintiff has failed to file a response.

Local Rule 260(b) sets forth the procedure for opposing a motion for summary judgment:

Any party opposing a motion for summary judgment or summary adjudication shall reproduce the itemized facts in the Statement of Undisputed Facts and admit those facts that are undisputed and deny those that are disputed, including with each denial a citation to the particular portions of any pleading, affidavit, deposition, interrogatory answer, admission, or other document relied upon in support of that denial.

E.D. Cal. R. 260(b). More generally, "[a] responding party who has no opposition to the granting of the motion shall serve and file a statement to that effect . . ." E.D. Cal. R. 230(c).

Within 14 days from the date of service, Plaintiff **SHALL** file an opposition or a notice of non-opposition response to Defendant's motion for summary judgment. If Plaintiff fails to

comply, the Court will issue findings and recommendations determining the motion without further notice to Plaintiff.

IT IS SO ORDERED.

Dated: **October 4, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE